

REMARKS

Claims 1-28 are pending in the application. Claims 5, 7-13, 18, and 20-26 are withdrawn from consideration. Favorable reconsideration of the application is respectfully requested in view of the following.

I. REJECTION UNDER 35 USC §103(a)

Claims 1-4, 6, 14-17, 19, and 27-28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fukuda et al. (US Patent No. 6,856,759) in view of Yamauchi et al. (US Patent No. 6,785,463). Applicants respectfully traverse the rejection, as both Fukuda et al. and Yamauchi et al. fail to teach management information including an aspect ratio for each set of encoded data.

Claim 1 of the present application recites, *inter alia*, a management information generating section for generating management information which is used to manage process of the encoded stream, the management information including the aspect information for each set of the encoded data. As defined by the Applicants at page 29, lines 9-10 of the present application, a "set of encoded data" refers to a video object unit (VOBU). Accordingly, in claim 1, for each VOBU, aspect information is generated.

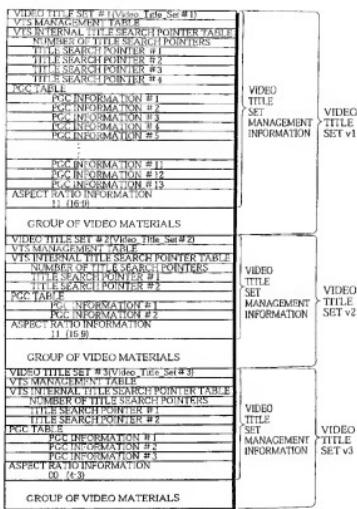
The Examiner admits that Fukuda et al. fails to disclose the management information including the aspect information for each set of the encoded data. However, the Examiner contends that this feature is disclosed by Yamauchi et al.

Yamauchi et al. is directed to a device for reproducing a video data stream and sub-picture stream (i.e. subtitles) in accordance with a display mode (i.e., widescreen, pan-scan, letterbox), while avoiding displacement of the subtitles on the television screen. As illustrated, for example, in Figures 5B-9 of Yamauchi et al., the structure of the file area of the disk consists of a series of video title sets (VTS), which each consist of a plurality of VOBs. Each of the VOBs consists of a plurality of VOBUs, which in turn each consist of a plurality of packets.

As illustrated in Figure 6, reproduced below, each VTS includes VTS management information and a Group of Video Materials.

FIG. 6

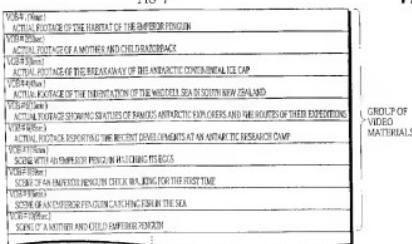
YAMAUCHI et al.



The aspect ratio information for the Group of Video Materials is stored within the VTS management information. As illustrated in Figure 7, reproduced below, a Group of Video Materials is a group of VOBs. (see also, Yamauchi et al., Col. 10, lines 46-55.)

FIG. 7

YAMAUCHI et al.



That is, similar to the aspect ratio information in the VMG of Fukuda et al., the aspect ratio information in the VTS management information of Yamauchi et al. is directed to the aspect ratio of the group of VOBs contained therein. (see, e.g., Yamauchi et al., Col. 19, lines 40-59.) The aspect ratio information is not included for each set of the encoded data (VOBU) as recited in the claims.

The Examiner refers to Col. 31, lines 50+ of Yamauchi et al. However, this recitation is directed to a process where the aspect ratio information in the VTS management information is read by the reproduction device, and based on this aspect ratio information, it is determined what type of conversion is to be applied to the overall video stream so as to realize the desired display settings during reproduction on the television screen. (see., e.g., Yamauchi et al., Col. 31, lines 50-64.)

Furthermore, while Yamauchi et al. does state that each VOB is made up of a plurality of VOB units which each have a management information pack at the front (Yamauchi et al., Col. 32, lines 47-49.), this management information pack of each VOB is only used to indicate the required transfer rate of the packets within the respective VOBU. (Yamauchi et al., Col. 18, lines 13-16.) Again, as described above, the aspect ratio information of Yamauchi et al. is stored in the VTS management information, and is directed to the aspect ratio of the group of VOBs contained therein.

Yamauchi et al. fails to cure the deficiencies of Fukuda et al., as Yamauchi et al. does not teach or suggest management information including the aspect information for each set of encoded data (i.e., each video object unit), as recited in claim 1. Instead, as described above, Yamauchi et al. discloses an aspect ratio information for a group of VOBs.

Accordingly, Fukuda et al. and Yamauchi et al. fail to disclose all of the features of claim 1. Similar arguments apply to independent claims 14, 27, and 28, which recite similar features. Furthermore, claims 2-4, 6, 15-17, and 19, which respectively depend from claims 1 and 14 are distinguishable over Fukuda et al. and Yamauchi et al. for at least the above-stated reasons. Withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

II. CONCLUSION

Accordingly, all claims are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino
Reg. No. 34,243

DATE: November 24, 2009

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113